

DOCKET: CU-4057

10/522110^{EV764489767US}**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: Qishou XU et al)
SERIAL NO: 10/522,110)
TITLE: A RIBOFLAVIN DERIVATIVE AND ITS)
MANUFACTURE AND USES)
COMPLETION OF PCT/CN2003/000609 filed July 29, 2003)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Dear Sir:

This is in response to the Notification of Missing Requirements mailed August 16, 2005, a copy of which is attached.

Also attached are copies of the following materials:

1. Combined Declaration & Power of Attorney submitted on February 24, 2005
2. Transmittal letter submitted February 24, 2005 forwarding the aforementioned Combined Declaration & Power of Attorney
3. Express Mail Receipt No. EV580845002US with a "Date Accepted" by the Post Office of February 24, 2005, together with the return postcard, date-stamped by the Patent Office indicating receipt of the aforementioned materials on February 24, 2005
4. Response to Notification of Missing Requirements, together with return postcard date-stamped by the Patent Office indicating receipt

It is noted that when the aforementioned Combined Declaration & Power of Attorney was submitted on February 24, 2005, the serial number of the U.S. application was incorrectly indicated on the transmittal letter noted in item 2 above. However, the transmittal letter does correctly identify the PCT international application to which the Declaration/Power corresponds. In this connection, it is also noted that the Declaration/Power correctly identifies PCT international application PCT/CN2003/000609 on page 2 thereof.

Accordingly, it is believed that the Combined Declaration & Power of Attorney was submitted on February 24, 2005 to complete formality requirements in this application. However, it appears that the aforementioned documents were placed in the file of Serial No. 10/522,210, due to an incorrect identity of the serial number in the transmittal letters.

It is respectfully submitted that the Patent Office therefore retrieve the original documents mentioned herein, currently residing in the file of U.S. 10/522,210 and place them in the application referenced herein namely, U.S. Serial No. 10/522,110 (371 Completion of PCT/CN2003/000609 filed July 29, 2003 - inventor Qishou Xu et al).

As it is believed that the Declaration/Power was timely submitted on February 24, 2005, no fee should be deemed necessary. However, should a fee be necessary, the Commissioner is authorized to charge our Deposit Account No. 12-0400.

Respectfully submitted,



Attorney for Applicant

Brian W. Hameder, Reg. 45613
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300

January 27, 2006

Date


 LADAS & PARRY
 CHICAGO
 UNITED STATES PATENT AND TRADEMARK OFFICE

2005 AUG 22 PM 2:44

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 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/522,110 | Qishou Xu | CU-4057 BWH |

 26530
 LADAS & PARRY LLP
 224 SOUTH MICHIGAN AVENUE
 SUITE 1600
 CHICAGO, IL 60604

INTERNATIONAL APPLICATION NO.

PCT/CN03/00609

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

07/29/2003

08/02/2002

 CONFIRMATION NO. 3549
 371 FORMALITIES LETTER

OC000000016754490

OC000000016754490

Date Mailed: 08/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/24/2005
- English Translation of the IA filed on 01/24/2005
- Copy of the International Search Report filed on 01/24/2005
- Copy of IPE Report filed on 01/24/2005
- Preliminary Amendments filed on 01/24/2005
- Request for Immediate Examination filed on 01/24/2005
- U.S. Basic National Fees filed on 01/24/2005
- Priority Documents filed on 01/24/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

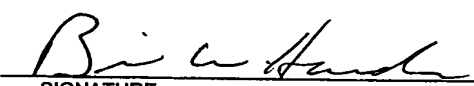
| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/522,110 | PCT/CN03/00609 | CU-4057 BWH |

FORM PCT/DO/EO/905 (371 Formalities Notice)

| | | |
|--|---|--|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER CU-4057 BWH |
| INTERNATIONAL APPLICATION NO. PCT/CN2003/000609 | INTERNATIONAL FILING DATE 29 July 2003 | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/522,210 10/522,110 |
| TITLE OF INVENTION A RIBOFLAVIN DERIVATIVE AND ITS MANUFACTURE AND USES | | PRIORITY DATE CLAIMED 02 August 2002 |
| APPLICANT(S) FOR DO/EO/US Qishou XU et al | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p> | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | | | |
|---|--------------|---|---------|---|---------------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/522,210 | | INTERNATIONAL APPLICATION NO. PCT/CN2003/000609 | | ATTORNEY'S DOCKET NUMBER CU-4057 BWH | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input type="checkbox"/> Basic national fee..... \$300 | | | | \$ | |
| 22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200 | | | | \$ | |
| 23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500 | | | | \$ | |
| TOTAL OF 21, 22 and 23 = | | | | \$ | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | \$ 130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | - 20 = | | x \$ 50 | \$ | |
| Independent claims | - 3 = | | x \$200 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 130.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$ 130.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ 130.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>12-0400</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: Customer Number 26530 Ladas & Parry 224 South Michigan Avenue Chicago, Illinois 60604 (312) 427-1300</p> | | | | | |
| | | | | <p style="text-align: center;"> SIGNATURE Brian W. Hameder NAME 45613 REGISTRATION NUMBER</p> | |

Certification under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 24, 2005.

Brian W. Hameder
Name


Signature

DOCKET: CU-4057

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT: Qishou XU et al)
SERIAL NO: ~~10/522,210~~ 10/522,110)
TITLE: A RIBOFLAVIN DERIVATIVE AND ITS)
MANUFACTURE AND USES)
COMPLETION OF PCT/CN2003/000609 filed 29 July 2003)

Mail Stop PCT
Commissioner for Patents (DO/EO/US)
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

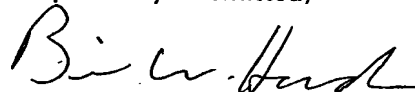
Dear Sir:

This is in response to the Notification of Missing Requirements (Form PCT/DO/EO/905) dated August 16, 2005, a copy of which is attached herewith.

The Office is advised that the Combined Declaration & Power of Attorney for this application was filed on February 24, 2005, together with a check in payment of the surcharge. A copy of the postcard which has been date-stamped by the Office acknowledging receipt is attached herewith.

It is therefore believed that all formal requirements of the Office have now been met.

Respectfully submitted,



Attorney for Applicant

August 24, 2005
Date

/29

Brian W. Hameder, Reg. 45613
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300

The Patent & Trademark Office acknowledges and has stamped hereon the date of receipt of the item checked below:

- 007 Rec'd PCT/PTO**
- | | |
|--|---|
| <input type="checkbox"/> New pat./design/PCT appln. | <input type="checkbox"/> Assignment & Recordal Cover Sheet |
| <input type="checkbox"/> Transmittal letter | <input type="checkbox"/> CC of priority document |
| <input type="checkbox"/> Fee Transmittal (PTO/SB/17) | <input type="checkbox"/> Application Data Sheet |
| <input type="checkbox"/> ___ pages spec./abstract | <input checked="" type="checkbox"/> Amendment Response |
| <input type="checkbox"/> ___ pages of ___ claims | <input type="checkbox"/> Request for Extension |
| <input type="checkbox"/> ___ sheets of drawings | <input type="checkbox"/> Fee |
| <input type="checkbox"/> Declaration/Power | <input type="checkbox"/> Other _____ |

29 AUG 2005 APPLICANT: Qishou XU et al.

SERIAL NO: 10/522,210

FILED: _____

TITLE: A RIBOFLAVIN DERIVATIVE AND ITS
MANUFACTURE AND USES

DOCKET: CU-4057 DATE: 08/24/2005



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| Mo. 2 Day 24 Year 05 | Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM | COD Fee \$ |
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| Mo. Day | | |
| Delivery Date | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | | |
| <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. | | |
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Ref:CU-4057 - Xu et al

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The Patent & Trademark Office acknowledges and has stamped hereon the date of receipt of the item checked below:

580845002

- | | |
|---|--|
| <input type="checkbox"/> New pat./design/PCT appln. | <input type="checkbox"/> Assignment & Recordal Cover Sheet |
| <input checked="" type="checkbox"/> Transmittal letter PTO-1390(2pgs) | <input type="checkbox"/> CC of priority document |
| <input type="checkbox"/> Fee Transmittal (PTO/SB/17) | <input type="checkbox"/> Application Data Sheet |
| <input type="checkbox"/> ___ pages spec./abstract | <input type="checkbox"/> Amendment/Response |
| <input type="checkbox"/> ___ pages of ___ claims | <input type="checkbox"/> Request for Extension |
| <input type="checkbox"/> ___ sheets of drawings | <input checked="" type="checkbox"/> Fee \$130 |
| <input checked="" type="checkbox"/> Declaration/Power | <input type="checkbox"/> Other _____ |

APPLICANT: Qishou XU et al

SERIAL NO: 10/522,210

10/522,110

FILED: DT02 Rec'd PCT/PTO

24 FEB 2005

TITLE: A RIBOFLAVIN DERIVATIVE AND ITS
MANUFACTURE AND USES

US Completion of PCT/CN2003/000609

DOCKET: CU-4057 DATE:02/24/2005